



LOS ANGELES COUNTY ANTI-PORNOGRAPHY TASK FORCE

3175 West Sixth Street/Los Angeles, California 90020-1798
(213) 738-3056

VICTOR EPPORT
Chairman

July 16, 1986

Executive Summary

BOARD OF SUPERVISORS

PETER F. SCHABARUM
KENNETH HAHN
EDMUND D. EDELMAN
DEANE DANA
MICHAEL D. ANTONOVICH

Subject: REPORT OF LOS ANGELES COUNTY ANTI-PORNOGRAPHY TASK FORCE

Background

The attached letter transmits the final report of the Anti-Pornography Task Force created by Board order of October 1, 1985.


Recommendations

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

It is recommended that the Board:

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1. Not give any further consideration to an ordinance similar to the one declared unconstitutional in American Book Sellers Association Inc. v. William Huhns, UNIVERSITY OF CALIFORNIA
2. Continue to support legislation to enact the Miller v. California definition of obscene matter in California and/or to permit a county board of supervisors to make that definition of obscene matter applicable in its county;
3. Request the Sheriff, District Attorney, and other local law enforcement agencies to enforce the new obscenity standard enacted in SB 139 (Dedda), Chapter 51, Statutes of 1986, when that statute takes effect on January 1, 1987;
4. Request the Sheriff and other local law enforcement agencies to continue their cooperation with the United States Attorney's Office and United States Post Office to curb obscene pornography, and urge these two federal agencies to increase their enforcement and prosecution efforts in this area;
5. Urge local law enforcement agencies to use, when appropriate, the California Control of Profits of Organized Crime Act to combat obscene pornography.
6. Direct the County Commission on Obscenity and Pornography to:
 - a. Work with community groups, after consultation with appropriate County departments, to increase public awareness of strategies to curb dissemination of pornography;
 - b. Monitor pending state and federal Supreme Court cases which may impact the problem of pornography and report on the cases and their impact in the Commission's annual report to the Board; and
 - c. Develop in consultation with appropriate County departments and others, a plan to increase public awareness of the problems of pornography, including child sexual abuse, and report back to the Board; and
7. Request the Sheriff and District Attorney to continue to apply zoning laws regarding incompatible uses such as adult businesses.



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LOS ANGELES COUNTY ANTI-PORNOGRAPHY TASK FORCE

600 West 5th Street, Los Angeles, California 90012
(213) 796-8911

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BOARD OF SUPERVISORS
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July 16, 1986

Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration
500 W. Temple Street
Los Angeles, California 90012

Dear Supervisors:

LOS ANGELES COUNTY ANTI-PORNOGRAPHY TASK FORCE:
REPORT AND RECOMMENDATIONS

Purpose

The purpose of this Board letter is to transmit the final report and recommendations of the Anti-Pornography Task Force for your approval and adoption.

Background

Upon request of the Los Angeles County Obscenity and Pornography Commission, the Anti-Pornography Task Force was created by Board order on October 1, 1985. The Task Force was charged with the following tasks:

1. Monitor the appeal in the case of American Book Sellers Association Inc. v. Hudnut (Indianapolis Ordinance).
2. Study and monitor state and local legislation in other jurisdictions in connection with the field of pornography.
3. Explore alternatives to curb pornography other than passing new legislation.

An interim report was submitted to your Board on March 3, 1986. Because of the extensive material to be researched and the complexity of the issues surrounding obscene and nonobscene pornography, a six-month extension to June 30, 1986 was requested to complete the final report.

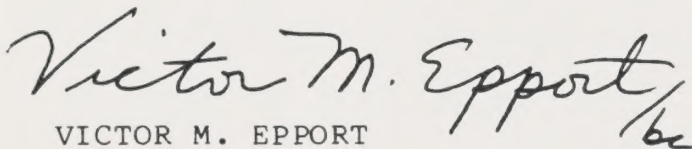
The Attorney General's Commission on Pornography report was not published until July 7, 1986. On July 15, 1986, the Board referred the Attorney General's Commission report to the Countywide Criminal Justice Coordinating Committee for review and recommendations. The Task Force also recommends that the report be referred to the Obscenity and Pornography Commission.

The Task Force, comprised of 13 members and 2 alternates, met from November 1985 through June 6, 1986 to complete its work. A membership list is included in the report.

IT IS THEREFORE RECOMMENDED THAT YOUR BOARD:

Approve the recommendations contained in the Task Force report.

Sincerely,

A handwritten signature in cursive script that reads "Victor M. Epport". The signature is written in dark ink and is positioned above the typed name and title.

VICTOR M. EPPORT
Chairman

dw

Attachments

c: Chief Administrative Officer
County Counsel
District Attorney
Sheriff
Anti-Pornography Task Force
Obscenity and Pornography Commission
Community and Senior Citizens Services

The first part of the document is a letter from the President of the United States to the Vice President. The letter is dated October 10, 2019, and is addressed to the Vice President. The letter discusses the current state of the country and the challenges we face. It also discusses the President's plans for the future and the role of the Vice President in the administration.

The second part of the document is a letter from the Vice President to the President. The letter is dated October 10, 2019, and is addressed to the President. The letter discusses the Vice President's views on the current state of the country and the challenges we face. It also discusses the Vice President's plans for the future and the role of the President in the administration.

Handwritten signature of the Vice President
October 10, 2019

The third part of the document is a letter from the President to the Vice President. The letter is dated October 10, 2019, and is addressed to the Vice President. The letter discusses the President's plans for the future and the role of the Vice President in the administration. It also discusses the President's views on the current state of the country and the challenges we face.

REPORT OF THE LOS ANGELES COUNTY
ANTI-PORNOGRAPHY TASK FORCE

This is a report submitted by the Anti-Pornography Task Force to the Board of Supervisors of Los Angeles County which encompasses the work of the task force from its first meeting in November of 1985 through May 31, 1986.

BACKGROUND

The task force was created by the Board of Supervisors on October 1, 1985 pursuant to a motion made by Supervisor Michael D. Antonovich, which motion was amended by Supervisor Deane Dana. The task force was charged with the following tasks:

1. Monitor the appeal in the case of American Book Sellers Association Inc. v. Hudnut (Indianapolis Ordinance).
2. Study and monitor state and local legislation in other jurisdictions in connection with the field of pornography.
3. Explore alternatives to curb pornography other than passing new legislation.

An interim report was submitted to the Board of Supervisors on March 3, 1986. The interim report requested an extension of

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time to June 30, 1986 to present a final report. The reason for the extension was the amount of material that had to be researched, the complexity of the issues at hand and the fact that the report of the U.S. Attorney General's Commission on Pornography had not yet been published. On July 7, 1986, the Report of the U. S. Attorney General's Commission on Pornography was published. The Task Force did not want to delay its report to the Board by waiting to obtain a copy of the Attorney General's Report and preparing comments. Therefore, the Anti-Pornography Task Force strongly suggests that the Obscenity and Pornography Commission obtain a copy, review it and prepare comments for your Board.

CURRENT STATUS OF THE TASK FORCE

Membership

<u>Number of Representatives</u>	<u>County Dept or Commission</u>	<u>Designated Representative</u>
2	Commission on Obscenity and Pornography (Chair) (Alternate)	Cecil Peterson Victor Eppert Dolores Nason
2	Commission for Women (Alternate)	June Dunbar Sandra Klasky Helen Paster
1	County Counsel	Richard Townsend
1	Chief Administrative Office	Judy Call
1	District Attorney	Dirk Hudson
1	Sheriff	Paul E. Myron
1	Filming Advisory Commission	Mary Ledding

- - Constitutional Lawyers

<u>Number of Representatives</u>	<u>County Dept or Commission</u>	<u>Designated Representative</u>
2	County Counsel	Professor Norman Karlin Southwestern University School of Law Professor Allan Ides Loyola Law School
1	Commission for Women	Denise LaMonica Private Attorney
1	Commission on Obscenity and Pornography	Professor Henry W. McGee UCLA School of Law
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The implementation of the task force and its ongoing work has been accomplished through the assistance of Barbara Chovan, Staff Advisor to the task force, Department of Community and Senior Citizens Services.

The Work Of The Task Force

The task force met on the following dates: November 14, 1985, December 18, 1985, January 15, 1986, February 12, 1986, March 12, 1986, April 9, 1986 and May 21, 1986. In addition, the following subcommittees met on seven occasions. The following subcommittees were formed:

(a) A subcommittee under the direction of Richard Townsend to study the status of American Book Sellers Association, Inc. v.

William Hudnut III. This committee monitored the appeal that was filed in connection with the ruling of the District Court concerning the Indianapolis Ordinance.

(b) A subcommittee under the direction of June Dunbar to examine legislation in other jurisdictions. This subcommittee contacted law enforcement offices e.g. District Attorney, City Attorney, County Counsel etc. in other jurisdictions to obtain their input as to what legislation had been passed and the success of any of the enforcement proceedings under the legislation to curb pornography.

(c) A subcommittee under the direction of Paul Myron to explore alternatives to curb pornography with local law enforcement. This subcommittee met with law enforcement agencies in Los Angeles County as well as a Federal Regional Task Force of U.S. Customs, U.S. Postal Inspector, U.S. Attorney, F.B.I., etc. to obtain knowledge of current problems and solutions. The subcommittee reviewed local, county ordinances and State and Federal laws currently on the books. It also reviewed a slide presentation prepared by the Administrative Vice Division of the Los Angeles City Police Department entitled "The History of Pornography". This slide presentation was shown to the entire task force.

The task force reviewed the findings made in hearings conducted by the Commission for Women of Los Angeles County, as well as some of the published transcripts on the hearings conducted by the U.S. Attorney General's Commission on Pornography.

The task force also reviewed Senate Bill 139 (Deddeh of 1985) and the amendments that were made to that bill and took a position which was recommended to your Board in our Interim Status Report.

Results of Appeal of American Book Sellers

The United States Supreme Court dismissed the appeal that was filed by the City of Indianapolis in the case of American Book Sellers Association Inc. et al v. William H. Hudnut, III, Mayor of the City of Indianapolis et al. In that case the District Court had granted a motion for summary judgment filed by the plaintiff against the City of Indianapolis declaring the ordinance of the City of Indianapolis unconstitutional. Legislation in that case was similar to the legislation that had been proposed by the Commission for Women to the Board of Supervisors of Los Angeles County and which ordinance was not passed by the Board of Supervisors. On appeal from the District Court, the United States Court of Appeal, Seventh Circuit, upheld the District Court's finding that the statute was unconstitutional and in February 1986, the Supreme Court of the United States of America dismissed the appeal in effect reaffirming both the District Court and the Circuit Court of Appeals in declaring that the ordinance was unconstitutional.

Definition of Pornography and Legal Standards

Pornography is material that is intended to excite a person sexually or which appeals to sexual interests. Obscenity is

hardcore pornography which is offensive to the senses and which falls outside of the protection of law.

Pornography is deemed to be protected by law unless it falls within the category of obscene pornography, which is defined in the U. S. Supreme Court's landmark decision in Miller v. California, 413 U.S. 15, 24 (1973) as follows:

- (a) Whether "the average person, applying contemporary community standards" would find that the work, taken as a whole, appeals to the prurient interest;
- (b) Whether the work depicts or describes in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
- (c) Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Denise LaMonica, a non-voting member of the task force, objects to the emphasis the Task Force has placed on criminal prosecution of pornography and the omission of any serious consideration of pornography as a form of sex-discrimination; the American Book Sellers case notwithstanding.

Findings of the Anti-Pornography Task Force

1. The task force finds that the standards as set forth in the case of Miller v. California, 413 U.S. 15, (1973), should be incorporated in appropriate California statute.

2. All law enforcement agencies have agreed that the standard currently in effect in California, the Roth Standard (as redefined in Memoirs), makes it virtually impossible to obtain a conviction for obscene pornography. The Roth standard is much harder to sustain than the standard adopted by the United States Supreme Court in Miller v. California. For this reason, many law enforcement agencies have refused to file any criminal complaints based upon the Roth Standard. Further, many law enforcement agencies feel that because of the inability to obtain a conviction under this standard, they should concentrate their resources on other areas of crime in which the likelihood of successful prosecution is greater. Many law enforcement agencies, including the Los Angeles County Sheriff's Department, have had limited or no personnel involved in prosecuting obscene pornography, even though they believe that obscene pornography is an ever increasing problem in the Southern California area.

3. Since the inception of the task force, the California Legislature has passed SB 139 (Deddeh), Chapter 51, Statutes of 1986, which makes the definition of obscene matter closer to, but not precisely the same as, the Miller Standard. The revised definition of obscene matter takes effect January 1, 1987. Although the task force believes that the revised definition may make prosecution of pornography cases more feasible, the members

are of the opinion that the Federal Miller standard is preferable because it has been successfully adopted in numerous other states and in the Federal Courts.

Allan Ides, a non-voting member of the task force, believes that retention of the Roth/Memoirs standard would be more consistent with his understanding of the principles of freedom of speech.

4. Florida has used a R.I.C.O. type statute as an additional tool to combat obscene pornography. California law includes Section 186 of the Penal Code which is similar to a R.I.C.O. type statute in some respects, but its remedies do not include some of the options that Florida's statute contains. Florida and other jurisdictions have also used the statutes permitting confiscation of earnings from illegal operations and laws relating to nuisance abatement, display statutes and child pornography.

5. In many jurisdictions including California, authorities have been using an ordinance which prohibits the operation of adult businesses within a specified distance from homes, schools and churches. Such ordinances have been traditionally upheld by the Courts.

6. Although government may not prohibit dissemination of non-obscene pornography to adults, dissemination of non-obscene pornography to minors can be prohibited. The existing provisions of the Penal Code prohibiting dissemination of "harmful matter" to minors have to date been upheld by the Court and appear to be adequate and should be encouraged.

7. Perpetuating sex-role stereotypes contributes to attitudes which allow a society to accept sexual abuse. Only by

understanding sexist attitudes and the role of the socialization process in the formulation of those attitudes can they be eliminated.

RECOMMENDATIONS

The task force recommends that the Board:

1. Not give any further consideration to an ordinance similar to the one declared unconstitutional in American Book Sellers Association Inc. v. William Hudnut.

The Board of Supervisors should not consider an ordinance which will have for its general framework the terms of the ordinance that were declared unconstitutional in the case of American Book Sellers Association Inc. v. William Hudnut. Any such proposed legislation would be subject to the same constitutional attack as was the ordinance in the American Book Sellers case.

This recommendation should not preclude the Board's consideration of an ordinance addressing the same problems, but satisfying the constitutional concerns as discussed in Hudnut v. American Book Sellers. For example, in lieu of a new ordinance similar to that declared unconstitutional, the Board of Supervisors should continue to support AB 3645 or similar legislation that would authorize a County Ordinance creating a civil course of action against coerced participation or coerced viewing of graphic depiction of violent sex acts and sexual abuse.

2. Continue to support legislation to enact the Miller v. California definition of obscene matter in California and/or to permit a county board of supervisors to make that definition of obscene matter applicable in its county.

The Board of Supervisors should continue to support a change in California's statutory definition of obscene matter so that the standard approved by the United States Supreme Court in Miller v. California will be established as a standard for the State of California.

The Anti-Pornography Task Force also recommends that the Board of Supervisors support any legislation that would permit each county to determine whether or not it wants to use the Miller Standard as originally proposed in County-sponsored legislation AB 3645 (Tucker) of 1986 (this provision was subsequently amended out of the bill).

3. Request the Sheriff, District Attorney and other local law enforcement agencies to enforce the new obscenity standard enacted in SB 139 (Deddah), Chapter 51, Statutes of 1986, when that statute takes effect on January 1, 1987.

With the passage of the new, and as yet untested obscenity standard, as set forth in SB 139 (Deddah), Chapter 51, Statutes of 1986, all law enforcement agencies should proceed to enforce the new statute. This may require addition or re-allocation of personnel in the Sheriff's Department and District Attorney's Office to emphasize prosecutions under the SB 139 definition and any other statutes that may be used to curb obscene pornography.

4. Request the Sheriff and other local law enforcement agencies to continue their cooperation with the United States Attorney's Office and United States Post Office to curb obscene pornography, and urge these two federal agencies to increase their enforcement and prosecution efforts in this area.

All local law enforcement agencies should continue their cooperation with the United States Attorney's office and the U. S. Post Office in curbing obscene pornography. The Board of Supervisors should encourage the addition of personnel to the U.S. Attorney's Office to enforce the federal statutes on obscene pornography and encourage the postal inspectors to continue and increase their enforcement of the appropriate postal laws to curb obscene pornography.

5. Urge local law enforcement agencies to use, when appropriate, the California Control of Profits of Organized Crime Act to combat obscene pornography.

It is also the recommendation of the task force that the law enforcement agencies in Los Angeles County use, wherever reasonably applicable, the California Control of Profits of Organized Crime Act commencing with Section 186 of the Penal Code as a means to combat obscene pornography.

1. The first of the two main points is that the Government has a duty to protect the public interest. This duty is not limited to the protection of the public interest in the strict sense of the word, but extends to the protection of the public interest in the broad sense of the word. The Government has a duty to protect the public interest in the broad sense of the word, which includes the protection of the public interest in the strict sense of the word, and the protection of the public interest in the broad sense of the word.

2. The second of the two main points is that the Government has a duty to protect the public interest in the broad sense of the word. This duty is not limited to the protection of the public interest in the broad sense of the word, but extends to the protection of the public interest in the strict sense of the word. The Government has a duty to protect the public interest in the strict sense of the word, which includes the protection of the public interest in the broad sense of the word, and the protection of the public interest in the strict sense of the word.

3. The third of the two main points is that the Government has a duty to protect the public interest in the strict sense of the word. This duty is not limited to the protection of the public interest in the strict sense of the word, but extends to the protection of the public interest in the broad sense of the word. The Government has a duty to protect the public interest in the broad sense of the word, which includes the protection of the public interest in the strict sense of the word, and the protection of the public interest in the broad sense of the word.

4. The fourth of the two main points is that the Government has a duty to protect the public interest in the broad sense of the word. This duty is not limited to the protection of the public interest in the broad sense of the word, but extends to the protection of the public interest in the strict sense of the word. The Government has a duty to protect the public interest in the strict sense of the word, which includes the protection of the public interest in the broad sense of the word, and the protection of the public interest in the strict sense of the word.

6. Direct the County Commission on Obscenity and Pornography to:
 - a. Work with community groups, after consultation with appropriate County departments, to increase public awareness of strategies to curb dissemination of pornography;
 - b. Monitor pending state and federal Supreme Court cases which may impact the problem of pornography and report on the cases and their impact in the Commission's annual report to the Board; and
 - c. Develop, in consultation with appropriate County departments and others, a plan to increase public awareness of the problems of pornography, including child sexual abuse, and report back to the Board.

This would include the possibility of having lectures or presentations made before the schools in the Los Angeles County Board of Education District and of public awareness seminars such as currently being proposed by the Los Angeles County Obscenity and Pornography Commission. Part of this plan should include a program to be implemented in the schools to identify the different socialization processes for males and females.

7. Request the Sheriff and District Attorney to continue to apply zoning laws regarding incompatible uses such as adult businesses, so that the quality of life in affected neighborhoods will not be degraded.



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1. The first and primary consideration in the development of a new technology is the need for a clear and concise statement of the problem to be solved.

2. The second consideration is the selection of the appropriate technology to be used. This selection should be based on a thorough understanding of the problem and the available resources.

3. The third consideration is the design of the system. This design should be based on a thorough understanding of the problem and the available resources, and it should be flexible enough to allow for changes as more information becomes available.

4. The fourth consideration is the implementation of the system. This implementation should be based on a thorough understanding of the problem and the available resources, and it should be flexible enough to allow for changes as more information becomes available.

5. The fifth consideration is the evaluation of the system. This evaluation should be based on a thorough understanding of the problem and the available resources, and it should be flexible enough to allow for changes as more information becomes available.

6. The sixth consideration is the maintenance of the system. This maintenance should be based on a thorough understanding of the problem and the available resources, and it should be flexible enough to allow for changes as more information becomes available.